

Child Care and Development Fund (CCDF) Plan  
For

Maine  
FFY 2012-2013

**PART 1  
ADMINISTRATION**

**1.1 Contact Information**

The agency shown below has been designated by the Chief Executive Officer of the State (or Territory), to represent the State (or Territory) as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the assurances and certifications appended hereto.(658D, 658E)

**1.1.1 Who is the Lead Agency designated to administer the CCDF program?** Identify the Lead Agency and Lead Agency's Chief Executive Officer designated by the State/Territory. ACF will send official grant correspondence such as grant awards, grant adjustments, Plan approvals and disallowance notifications to the designated contact identified here. (658D(a), §98.10)

Effective Date: 01-OCT-11

Name of Lead Agency: [Department of Health and Human Services](#)

Address of Lead Agency: [State House Station 11, Augusta, Maine 04333](#)

Name and Title of the Lead Agency's Chief Executive Officer: [William Boeschstein, Chief Operating Officer](#)

Phone Number: [207-287-3707](#)

Fax Number: [207-287-3005](#)

E-Mail Address: [william.boeschstein@maine.gov](mailto:william.boeschstein@maine.gov)

Web Address for Lead Agency (if any): <http://www.maine.gov/dhhs/index.shtml>

**1.1.2 Who is the CCDF administrator?** Identify the CCDF administrator designated by the Lead Agency, the day-to-day contact, with responsibility for administering the State/Territory's CCDF program. ACF will send programmatic communications such as program announcements, program instructions, and data collection instructions to the designated contact identified here. **If there is more than one designated contact with equal or shared responsibility for administering the CCDF program, please identify the co-administrator or entity with administrative responsibilities and include contact information.** (§§98.16(a) and (c)(1))

**a) Contact Information for CCDF Administrator:**

Effective Date: 04-SEP-12

Name of CCDF Administrator: [Kristopher Michaud](#)

Title of CCDF Administrator: [Child Care Services Team Leader](#)

Address of CCDF Administrator: [2 Anthony Ave. State House Station 11, Augusta, ME 04333](#)

Phone Number: [207-624-7917](#)

Fax Number: [207-287-5282](#)

E-Mail Address: [kristopher.michaud@maine.gov](mailto:kristopher.michaud@maine.gov)

Web Address for Lead Agency (if any): <http://www.maine.gov/dhhs/ocfs/index.shtml>

Phone Number for CCDF program information

(for the public) (if any): [877-680-5866](#)

Web Address for CCDF program

(for the public) (if any): <http://www.maine.gov/dhhs/ocfs/ec/occhs/payingchildcare.htm>

Web Address for CCDF program policy manual

(if any): <http://www.maine.gov/sos/cec/rules/10/chaps10.htm#472>

Web Address for CCDF program administrative rules

(if any): <http://www.maine.gov/sos/cec/rules/10/chaps10.htm#472>

## **b) Contact Information for CCDF Co-Administrator (if applicable):**

Name of CCDF Co-Administrator:

Title of CCDF Co-Administrator:

Address of CCDF Co-Administrator:

Phone Number:

Fax Number:

E-Mail Address:

Description of the role of the Co-Administrator:

## **1.2 Estimated Funding**

### **1.2.1 What is your expected level of funding for the first year of the FY 2012 - FY 2013 plan period?**

The Lead Agency estimates that the following amounts will be available for child care services and related activities during the 1-year period from October 1, 2011 through September 30, 2012. (§98.13(a)).

Effective Date: 02-OCT-12

FY 2012 Federal CCDF allocation (Discretionary, Mandatory and Matching): \$ **13,609,781**

Federal TANF Transfer to CCDF: \$ **0**

Direct Federal TANF Spending on Child Care: \$ **20,691,243**

State CCDF Maintenance-of-Effort Funds: \$ **1,749,818**

State Matching Funds: \$ 2,954,902

**Reminder** - Lead Agencies are reminded that not more than 5 percent of the aggregate CCDF funds, including federal funds and required State Matching funds, shall be expended on administration costs (\$98.52) once all FY2012 funds have been liquidated. State Maintenance-of-Effort funds are not subject to this limitation.

**1.2.2 Which of the following funds does the Lead Agency intend to use to meet the CCDF Matching and maintenance-of-effort (MOE) requirements described in 98.53(e) and 98.53(h)?** Check all that apply.

Territories not required to meet CCDF Matching and MOE requirements should mark

Effective Date: 01-OCT-11

N/A here

**Note:** The Lead Agency must check at least public and/or private funds as matching, even if pre-kindergarten (pre-k) funds also will be used.

Public funds to meet the CCDF Matching Fund requirement. Public funds may include any general revenue funds, county or other local public funds, State/Territory-specific funds (tobacco tax, lottery), or any other public funds.

If checked, identify source of funds:

The two funding sources used to meet the Matching Fund requirement are the State Purchased Social Services Grant and Fund for Healthy Maine.

If known, identify the estimated amount of public funds the Lead Agency will receive:

\$5,068,698.00

Private Donated Funds to meet the CCDF Matching Fund requirement. Only private received by the designated entities or by the Lead Agency may be counted for match purposes. ( 98.53(f))

If checked, are those funds:

donated directly to the State?

donated to a separate entity(ies) designated to receive private donated funds?

If checked, identify the number of entities designated to receive private donated funds and provide name, address, contact and type:

If known, identify the estimated amount of private donated funds the Lead Agency will receive:

State expenditures for Pre-K programs to meet the CCDF Matching Funds requirement.

If checked, provide the estimated percentage of Matching Fund requirement that will be

met with pre-k expenditures ( not to exceed 30%):

If percentage is more than 10% of the Matching fund requirement, describe how the State will coordinate its pre-k and child care services:

If known, identify the estimated amount of pre-k funds the Lead Agency will receive for Matching Funds requirement:

Describe the Lead Agency efforts to ensure that pre-k programs meet the needs of working parents:

State expenditures for Pre-K programs to meet the CCDF Maintenance of Effort (MOE) requirements.

If checked,

The Lead Agency assures that its level of effort in full-day/full-year child care services has not been reduced, pursuant to 98.53(h)(1).

Estimated percentage of MOE Fund requirement that will be met with pre-k expenditures ( not to exceed 20%):

If percentage is more than 10% of the MOE fund requirement, describe how the State will coordinate its pre-k and child care services to expand the availability of child care:

If known, identify the estimated amount of pre-k funds the Lead Agency will receive for MOE Fund requirement:

Describe the Lead Agency efforts to ensure that pre-k programs meet the needs of working parents:

**1.2.3 Describe the activities for which quality funds (including targeted quality funds for infants and toddlers, school-age children, and resource and referral) will be used in FY 2012.** In as much detail possible, list the activities that will be funded, the estimated amount of CCDF quality funds that will be used for each activity, and how these activities relate to the Lead Agency's overall goal of improving the quality of child care for low-income children.

Effective Date: 25-SEP-12

<b>Activity</b>	<b>Estimated Amount of CCDF Quality Funds (indicate if targeted funds will be used)</b>	<b>Purpose</b>	<b>Projected Impact and Anticipated Results</b>
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Infant/Toddler Initiative			The State of Maine will exclusively dedicate the infant toddler set aside funding on subsidized Child Care, our current Professional Development system and our upcoming Professional Development Network, set to begin in April of 2013.
Quality Improvement Activities	446,315.00 (Quality Improvement Activities)	Quality Improvement Activities	
Resource/Referral and Workforce Development	3,510,500.00 (Resource/Referral and Workforce Development)	Resource/Referral/ Workforce Development Infrastructure	
Youth Development Initiative	100,000.00 (Youth Development Initiative)	Youth Development Quality Activities	To provide applied research, program evaluation services, and quality monitoring functions related to the federal/state childcare subsidy program
Licensing	600,000.00 (Licensing)	Health and Safety (Licensing)	implementation of a Quality Rating System, as well as to increase the capacity for childcare research activity in Maine. (Quality Improvement Activities)
Quality Differential	700,000.00 (Quality Differential)	Financial Incentives (Quality Differential)	
			The focus of this initiative is to support after school programming to meet the social, educational enrichment, health, and custodial needs of the youth population in Maine. (Youth Development Initiative)
			Supporting families to increase access to child care and parenting resources; supporting the development of child care that meets the needs of families; enhances the quality of child care and supports communities to create responsive policies and programs, as well as to expand resources to ensure a full range of quality child care options for all children. In addition to growing professional development by providing training to child care providers which in turn improves the quality of this care, the focus of this work is to ensure

			<p>that all children have access to quality inclusive community care and education so parents can work and/or go to school. (Resource/Referral and Workforce Development)</p> <p>Ensure the health and safety of children throughout the State who are attending licensed homes and centers. (Licensing)</p> <p>To provide financial incentives for quality improvement investments. (Quality Differential)</p>
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**1.2.4 Will the Lead Agency distribute quality funds to counties or local entities?**

Effective Date: 01-OCT-11

- No, the Lead Agency will manage all quality funds directly
- Yes, the Lead Agency will manage some quality funds directly and distribute a portion to local entities. Estimated amount or percentage to be distributed to localities

Yes, all quality funds will be distributed to local entities

Other.  
Describe:

**1.3 CCDF Program Integrity and Accountability**

Program integrity is defined to include efforts that ensure effective internal controls over the administration of CCDF funds. The Lead Agency is responsible for monitoring programs and services, ensuring compliance with the rules of the program, promulgating rules and regulations to govern the overall administration of the plan and oversee the expenditure of funds by sub-grantees and contractors. (§ 98.11(b)) Accountability measures should address administrative error, which includes unintentional agency error, **as well as address** program violations, both unintentional and intentional, that may or may not result in further action by the Lead Agency, including those cases suspected of and/or prosecuted for fraud.

**1.3.1. Describe the strategies the Lead Agency will utilize to ensure effective internal controls are in place.** The **description** of internal controls may include, but is not limited to a description of processes to ensure sound fiscal management, to identify areas of risk or to establish regular evaluation of control activities.

Effective Date: 21-SEP-12

Describe:

The Department of Health and Human Services contracts with community based organizations to coordinate child care provider training activities or to otherwise support the quality of child care in the state. Agreement administrators monitor all contracts for financial compliance. This monitoring includes quarterly reporting. Site visits to review performance indicators and client records, if applicable, are completed. Program staff monitor for specific performance requirements including the performance indicators outlined in contracts and agreements. The Lead Agency has staff to conduct audits and review case files for proper authorizations.

All services are scheduled for renewal through a competitive bid process on average every four years. A calendar is developed noting the dates a request for proposal (RFP) will be available for specific programs. In addition, any new funds are awarded on a competitive basis as required by law.

The State Child Care Administrator and other staff meet periodically with grantees, various associations, councils, and advisory groups to evaluate the delivery of services. The Administrator and staff solicit recommendations from these groups on how to improve services and implement modifications and/or improvements as deemed necessary.

The Lead Agency also participates in finance meetings with program fiscal coordinators and individuals from the accounting division to monitor and review expenditures to ensure they are in-line with the intention of the grant. Monthly management reports and data tracking of finance and program compliance are reviewed at the management level on a consistent basis for compliance and reflect the goals in the state authorized work plan.

**1.3.2. Describe the processes the Lead Agency will use to monitor all sub-recipients.** Lead Agencies that use other governmental or non-governmental sub-recipients to administer the program must have written agreements in place outlining roles and responsibilities for meeting CCDF requirements. (98.11 (a) (3))

**Definition:** A sub-recipient (including a sub-contractor and or sub-grantee) is a non-Federal entity that expends Federal awards (contract or grant) received from another entity to carry out a Federal program, but does not include a vendor nor does it include an individual who is a beneficiary of such a program. OMB Circular A-133 Section 210 provides additional information on the characteristics of a **sub-recipient and vendor** ([http://www.whitehouse.gov/omb/circulars/a133\\_compliance\\_supplement\\_2010](http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2010)). The description of monitoring may include, but is not limited to, a discussion of written agreements, fiscal management, review of policies and procedures to ensure compliance with CCDF regulations, monitoring/auditing contractors or grantees to ensure that eligible children are served and eligibility documentation is verified, and establishing performance indicators or measures related to improper payments.

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Describe:

Quarterly reporting is required by all sub recipients. This includes financial and performance indicator reports. Site visits, meetings, and on going communications are also factored in to ensure understanding and compliance with all expectations within the agreements.

**1.3.3. Describe the activities the Lead Agency will have in place to identify program violations and administrative error to ensure program integrity using the chart below.** Program violations may include intentional and unintentional client and/or provider violations as defined by the Lead Agency. Administrative error refers to **areas identified through the Error Rate Review** process (98.100). Check which activities, if any, the Lead Agency has chosen to conduct.

Effective Date: 01-OCT-11

Type of Activity	Identify Program Violations	Identify Administrative Error
Share/match data from other programs (e.g. TANF, Child and Adult Care Food Program (CACFP), Food and Nutrition Service (FNS), Medicaid))	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Share/match data from other databases (e.g., State Directory of New Hires, Social Security Administration, Public Assistance Reporting Information System (PARIS))	<input type="checkbox"/>	<input type="checkbox"/>
Run system reports that flag errors (include types)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Review of attendance or billing records	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Audit provider records	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct quality control or quality assurance reviews	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct on-site visits to providers or sub-recipients to review attendance or enrollment documents	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct supervisory staff reviews	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Conduct data mining to identify trends	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Train staff on policy and/or audits	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Other. Describe		
Implement a tracking system to monitor the reporting of potential fraud and the outcome of the detailed review or referral to State fraud department.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
None	<input type="checkbox"/>	<input type="checkbox"/>

**For any option the Lead Agency checked in the chart above other than none, please describe:**

The Lead Agency has a Contract Compliance Manager who is responsible for managing the accountability initiatives associated with the grant. This position is responsible for:

- Review of attendance or billing records
- Audit provider records
- Conducting quality control or quality assurance reviews

Audits are done twice a year and are randomly selected to equal 10% of the identified population. For example, 10% of the Certified Family Child Care providers that have current agreements with the Lead Agency will be audited.

Supervisory and/or Management staff are responsible for reviewing the following:

- System run reports that flag errors, this is done quarterly
- System match runs that compare client data sets from other sources (i.e. data feeds from TANF/MaineCare), this is done ongoing through monthly meetings with IT individuals
- Conduct data mining to identify trends, this is reviewed monthly via management reports

Supervisory and/or Management staff are responsible for:

- Conducting supervisory staff review, staff performance evaluations are based upon file audits
- Training staff on policy and file expectations, bimonthly staff meetings where dedicated time to policy discussions and training occur. File audit forms are reviewed and shared. Biweekly supervision where individual caseload reports are reviewed for policy implementation and compliance.

**If the Lead Agency checked none, please describe what measures the Lead Agency has or plans to put in place to address program integrity:**

The Lead Agency will create a plan to implement the self assessment of internal control tools offered to each Lead Agency.

**For any option the Lead Agency checked in the chart above other than none, please describe:**

The Lead Agency has a Contract Compliance Manager who is responsible for managing the accountability initiatives associated with the grant. This position is responsible for:

- Review of attendance or billing records
- Audit provider records
- Conducting quality control or quality assurance reviews

Audits are done twice a year and are randomly selected to equal 10% of the identified population. For example, 10% of the Certified Family Child Care providers that have current agreements with the Lead Agency will be audited.

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Supervisory and/or Management staff are responsible for:

- Conducting supervisory staff review, staff performance evaluations are based upon file audits
- Training staff on policy and file expectations, bimonthly staff meetings where dedicated time to policy discussions and training occur. File audit forms are reviewed and shared. Biweekly supervision where individual caseload reports are reviewed for policy implementation and compliance.

**If the Lead Agency checked none, please describe what measures the Lead Agency has or plans to put in place to address program integrity:**

The Lead Agency will create a plan to implement the self assessment of internal control tools offered to each Lead Agency.

**1.3.4. What strategies will the Lead Agency use to investigate and collect improper payments due to program violations or administrative error?** Check and describe in the chart below which strategies, if any, the Lead Agency will use for each of the following areas: Unintentional program violations (UPV), intentional program violations (IPV) and/or fraud, and administrative error as defined in your State/Territory. **The Lead Agency has the flexibility to recover misspent funds as a result of errors. The Lead Agency is required to recover misspent funds as a result of fraud (98.60(i)).**

Effective Date: 01-OCT-11

Strategy	UPV	IPV and/or Fraud	Administrative Error
Require recovery after a minimum dollar amount in improper payment. Identify the minimum dollar amount: \$ 1000.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Coordinate with and refer to other State/Territory agency (e.g. State/Territory collection agency, law enforcement). Describe: Maine Revenue Services, Division of Fraud	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Recover through repayment plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reduce payments in the subsequent months	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Recover through State/Territory tax intercepts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Recover through other means. Describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Establish a unit to investigate and collect improper payments. Describe composition of unit:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other. Describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**For any option the Lead Agency checked in the chart above other than none, please describe:**

## Section 12.00 IMPROPER PAYMENTS

**12.01** When a Parent or Child Care Provider receives more or less benefits than they should have received, an improper payment is deemed to have occurred.

**12.02 Underpayments and Overpayments** If the improper payment results in less benefits than should have been granted, the result is an Underpayment. If the improper payment results in more benefits than should have been granted, the result is an Overpayment.

The Department shall take prompt action in accordance with the requirements of this section whenever an improper payment occurs that causes benefits to be underpaid or overpaid.

**1.Underpayments** occur when the Parent or the Child Care Provider does not receive all the benefits to which the Parent or the Child Care Provider is entitled due to an administrative error or mistake made by the Department. Evidence shall clearly demonstrate that an agency administrative error occurred. Errors caused by the Parent or the Child Care Provider shall not be considered underpayments, except when a Child Care Provider makes a billing error and the Department receives written notification of the error within thirty (30) calendar days of the date payment is issued to the provider.

**2.Overpayments** occur when the amount paid exceeds the amount that would have been paid if the benefit had been calculated correctly on actual circumstances reported, verified and acted on in a timely manner. Overpayments occur as the result of agency administrative, Parent or Child Care Provider errors.

3.Overpayments are calculated on a month-to-month basis for the period of the overpayment. No overpayment shall be established if the difference between the benefits paid on behalf of the Parent and the correct benefit amount is less than ten (10) dollars.

### 12.03 Agency Administrative Errors

An overpayment shall be classified as an agency administrative error if the error was caused solely by actions of the Department.

Agency administrative errors shall include, but not be limited to:

a. Errors caused by delays in processing applications or acting upon changes that were reported in a timely fashion

- b. Errors in determining eligibility, calculating the benefit amount or the payment authorization period
- c. Data entry errors

- 1.Errors caused by the incorrect application of state regulations, policy or procedures
- 2.Fraud committed by an individual who works for the Department

#### **12.04 Errors Caused by Parents and Providers**

**12.04.1** Overpayments that are not caused by agency administrative errors shall be classified as caused by the Parent or Child Care Provider.

**12.04.2** Overpayments caused by the Parent shall include, but not be limited to:

- a. Errors caused by reporting false information
- b. Errors caused by reporting inaccurate information
- c. Delays in reporting changes in household circumstances, work or school schedules, or provider arrangements

**12.04.3** Overpayments caused by the Child Care Provider shall include, but not be limited to errors caused by:

- 1.Inaccurate reporting of licensing status, age or other Child Care Provider eligibility requirements
- 2.Inaccurate reporting of the Child Care Provider's relationship to the child or the location at which care is given
- 3.Inaccurate reporting of household circumstances
  - 1.Committing an illegal act, such as cashing a replacement check after falsely claiming that the original check was lost, stolen or destroyed
  - 2.Inaccurate reporting of actual charges, attendance or dates of service
  - 3.Any other false claim for goods or services provided
- 4.The overpayment shall be considered as both Parent and Child Care Provider caused if the Parent and the Child Care Provider both participated in the action that caused the overpayment to occur.

The Department shall make a preliminary determination of whether the overpayment was caused by a program violation based on the information and evidence and pursuant to these rules. Overpayments shall be considered and pursued if the Parent or Child Care Provider withheld or provided false information on matters affecting eligibility, benefits or a claim for services.

**12.04.6** Where the Department makes a preliminary determination that a Parent or Child Care Provider may have committed a program violation, the case may be referred to the DHHS Fraud Investigation Unit pursuant to Title 22 M.R.S.A. §13 and the Department may pursue establishment of a program violation against the Parent and/or Child Care Provider administratively.

**12.04.7** A final determination that a program violation was made shall be made only as the result of a decision by an Administrative Hearing, a court, or waiver of the Administrative Hearing by the Parent and/or Child Care Provider. Failure to request an Administrative Hearing constitutes a waiver.

#### **12.05 Calculating the Improper Payment**

**12.05.1** Improper Subsidy payments shall be calculated by comparing the subsidy paid during the applicable benefit month to the payment that would have been payable if eligibility and payment had been calculated correctly. The difference between the correct subsidy and the amount actually paid shall be the amount of the monthly improper payment.

**12.05.2** The monthly calculation is applied on a month-to-month basis for the improper payment period. The aggregate sum of the monthly improper payments within the improper payment period is the net amount of the improper payment or the overpayment/underpayment amount.

**12.05.3** If subsidy benefits are underpaid, the amount owed shall be paid within sixty (60) calendar days of the date the error was discovered, unless information needed to calculate the improper payment is inadequate or has not been received. If the Parent or Child Care Provider has an outstanding overpayment, the amount of the underpayment shall be used to offset the outstanding overpayment and any remaining balance of the underpayment shall then be payable to the Parent or Child Care Provider.

**12.05.4** Improper payments shall be corrected regardless of whether the Parent's case is active or closed. The Parent and Child Care Provider shall be notified of the determination.

**12.05.5** Repayment of overpayments shall begin on the first day of the month following the month in which the circumstances that caused the overpayment occurred.

**12.05.6** Repayment of Agency Administrative overpayments shall begin on the first day of the month following the month in which the circumstances that caused the overpayment occurred, unless a notice of adverse action is required.

**12.05.7** If the Department fails to take timely action following discovery of the issue to correct the issue causing the overpayment to accrue any subsequent subsidy benefits overpaid as the result of the delay shall be considered agency administrative error.

- **Responsibility for Repayment**

- The Parent shall be responsible for repaying the overpayment unless the overpayment was caused solely by the Child Care Provider. If the Parent is responsible for the overpayment, the Department shall require restitution by billing when the overpayment is due and again on the thirtieth and sixtieth day if the Parent fails to pay. Thereafter, the Department may pursue collection in the appropriate venue.

- If the Child Care Provider is responsible for the error, the Child Care Provider shall repay the overpayment.

- If the Child Care Provider is responsible for the overpayment and recovery is initiated by reducing the monthly Child Care Subsidy benefits, the Child Care Provider shall not require the household to pay the difference by increasing charges for children subsidized by the Department to compensate for the loss of income due to the recovery of an overpayment.

- **Notice of Overpayment**

- The individuals responsible for the repayment of the overpayment shall be provided with written notice of overpayment upon establishment.

- The written notice of overpayment shall be sent to the Department's last known address of the individuals, by U.S. Postal Service first class mail and be considered as received upon being sent.

- The written notice of overpayment shall contain:

- Name(s) of the individual(s) responsible for repayment

- Last known address of the individual

- Amount of the overpayment

- Period of the overpayment

- The overpayment will be considered payable in full thirty (30) days from the date of the notice

- Explanation of why the overpayment occurred

- Responsibility for repayment by recovery through Child Care Provider payment reduction

- Responsibility for repayment when billed

- Responsibility for repayment through Maine Revenue Services Tax Setoff

- Hearing Rights and Appeal Rights

- Selection of repayment method as outlined in 12.08.

- If the Child Care Provider is solely responsible for repaying the overpayment, the Parent shall be notified in advance of the proposed change in benefits and that the Child Care Provider cannot hold the Parent responsible for paying the difference.

- **12.08 Methods of Repayment**

- **12.08.1** The Department shall attempt to recover overpayments by a lump sum repayment or the quickest means possible.

- If the Parent or Child Care Provider does not agree to a lump sum repayment, the Department shall then reduce the Child Care Provider's and/or Parent's ongoing payments by twenty percent (20%) of the Child Care Provider's monthly payment until the overpayment has been fully recovered.

- **12.08.3** Recovery by benefit reduction shall be initiated if the Child Care Provider does not respond to the advance notice or request an Administrative Hearing.

- **12.08.4** Written request for an Administrative Hearing on establishment of the overpayment delivered to the Department within thirty (30) days of the Notice shall stay recovery actions until issuance of a

decision which upholds the Department's establishment of the overpayment.

- If the Child Care Provider does not actively receive Child Care Subsidy payments, the Department shall attempt to recover the overpayment through the quickest means possible and through those mechanisms available by law as with other program overpayments.
- If the Parent or Child Care Provider does not comply with any repayment plan, the Department may, to the extent allowed by law, take whatever action deemed appropriate to recover such overpayment.
- **Disqualification Penalties for Program Violations**
- Parents or Child Care Providers who are found to have committed a program violation must be referred to the DHHS Fraud Investigation Unit pursuant to Title 22 M.R.S.A. § 13.
- The Department shall impose a disqualification penalty of up to one year if the Parent is found to have committed a program violation in connection with obtaining Child Care Subsidy benefits. A penalty shall be imposed after issuance of an Administrative Decision which determines that a Program Violation occurred or the Parent waives an Administrative Hearing.
- Parents are disqualified for up to a year for a Child Care Subsidy if they had their Child Care Subsidy services terminated for an Program Violation related to Family income, Family size, or other eligibility criteria in order to be found eligible for services.
- Parents and/or Child Care Providers convicted of Theft as a Class B or Class C crime by a court of competent jurisdiction regarding the funds administered by the Department through the Child Care Subsidy program, TANF or other cash program shall be permanently disqualified from participation in the Child Care Subsidy program.

### **1.3.5. What type of sanction, if any, will the Lead Agency place on clients and providers to help reduce improper payments due to program violations?**

Effective Date: 01-OCT-11

None

Disqualify client.

If checked, please describe, including a description of the appeal process for clients who are disqualified

Intentional program violation will disqualify a client from applying for one year. Upon termination of services, the client has 10 calendar days to request a hearing regarding the decision. Once the hearing decision is issued, the decision stands for one year.

Disqualify provider.

If checked, please describe, including a description of the appeal process for providers who are disqualified

Intentional program violation disqualifies a provider from participating in the subsidy program. Upon termination of services, the provider has 10 calendar days to request a hearing regarding the decision. Once the hearing decision is issued, the decision stands for one year.

Prosecute criminally

Other.

Describe.

**1.3.6 Based on responses provided from Question 14 in the most recent ACF-402 report, please describe those actions the Lead Agency has taken or plans to take to reduce identified errors in the table below. Territories not required to complete the Error Rate Review should mark**

N/A here

Effective Date: 01-OCT-11

Activities identified in ACF-402	Cause/Type of Error (if known)	Actions Taken or Planned	Completion Date (Actual or planned) (if known)
Improper authorizations	<p>Missing or insufficient documentation.</p> <p>Most commonly identified items were:            Paystubs            Income documentation            Applications            Contracts/Awards            Outdated tax returns</p>	<p>Hire new Subsidy Program Supervisor.</p> <p>Training for subsidy staff at monthly staff meetings</p> <p>Centralize all eligibility determinations</p> <p>More complete audit of eligibility files</p>	<p>Done July 2010</p> <p>Done monthly since July 2010</p> <p>Will be completed by September 2011</p> <p>Starting March 2010 and ongoing</p>

**1.4 Consultation in the Development of the CCDF Plan**

Lead Agencies are required to *consult* with appropriate agencies in the development of its CCDF Plan (§98.12, §98.14(a),(b), §98.16(d)).

**Definition:** *Consultation* involves the meeting with or otherwise obtaining input from an appropriate agency in the development of the State or Territory CCDF Plan. At a minimum, Lead Agencies must consult with representatives of general purpose local governments. (§§98.12(b), 98.14(a)(1))

**1.4.1 Identify and describe in the table below who the Lead Agency consulted with in the development of the CCDF Plan (658D(b)(2), §§98.12(b), 98.14(b)).**

Agency/Entity	Describe how the Lead Agency consulted with this Agency/entity in developing the CCDF Plan
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**Representatives of general purpose local government (required)**

This may include, but is not limited to: representatives from counties and municipalities, local human service agencies, local education representatives (e.g., school districts), or local public health agencies.

The Child Care Advisory Council submitted in writing recommendations to consider when drafting the CCDF plan.  
The CCAC council is a 28 Members council appointed as follows:  
Employee of DHHS, Office of Family Independence  
Employee of DHHS State Child Care Administrator  
Employee of DHHS, Concerned with children's behavioral health services  
Employee of DHHS, Head Start collaboration  
Two Employees of Department of Education, one special education focus, one public 4 yr old programs focus  
State Fire Marshal  
Employee of the Office of Substance Abuse  
Employee of the Department of Economic and Community Development  
One member of the Senate  
Two members of the House of Representatives  
One parent who receives child care subsidy  
One Business representative from Maine Chamber of Commerce  
One Center Based care provider  
One Head Start provider  
One Family Child Care provider  
One child care provider that does not receive public funds  
One person representing a nonprofit advocacy organization working on behalf of children and families  
One person associated with Child Development Services  
One person representing Maine Center for Community Inclusion and Disabilities Studies  
One representative from Maine Women's Lobby  
One provider representing school age care providers  
One person representing Maine Roads to Quality  
One person representing Child Care Resource Development Centers  
One person representing unionized family child care providers

**For the remaining agencies, check and describe (optional) any which the Lead Agency has chosen to consult with in the development of its CCDF Plan.**

<input type="checkbox"/> State/Territory agency responsible for public education  This may include, but is not limited to, State/Territory pre-kindergarten programs (if applicable), programs serving school-age children (including 21st Century Community Learning Centers), or higher education.	
<input type="checkbox"/> State/Territory agency responsible for programs for children with special needs  This may include, but is not limited to: State/Territory early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool), or other State/Territory agencies that support children with special needs	
<input checked="" type="checkbox"/> State/Territory agency responsible for licensing (if separate from the Lead Agency)	Part of the Lead Agency
<input checked="" type="checkbox"/> State/Territory agency with the Head Start Collaboration grant	The Lead Agency coordinates the State Head Start Collaboration, thereby attending to and coordinating with identified Head Start perspective. The Lead Agency staff participated in the drafting of the plan.
<input type="checkbox"/> Statewide Advisory Council authorized by the Head Start Act	
<input checked="" type="checkbox"/> Other Federal, State, local, Tribal (if applicable), and/or private agencies providing early childhood and school-age/youth-serving developmental services	The Lead Agency requested written information and utilized programmatic data for the drafting of the CCDF plan.
<input checked="" type="checkbox"/> State/Territory agency responsible for the Child and Adult Care Food Program (CACFP)	The Lead Agency is responsible for the Child and Adult Care Food Program as well. The management of the CACFP program provided insight and considerations for the CCDF plans during the drafting process.
<input checked="" type="checkbox"/> State/Territory agency responsible for implementing the Maternal and Early Childhood Home Visitation programs grant	The Lead Agency partners closely with the Maternal and Early Childhood Home Visitation program. Collaboration and unification of services to best meet the needs of new families with child care issues were proposed during the drafting of the plan.

<input checked="" type="checkbox"/> State/Territory agency responsible for public health (including the agency responsible for immunizations and programs that promote children's emotional and mental health)	The Lead Agency consulted with Public Health division responsible for dissemination of health related resources to the early childhood field during the drafting of the plan process to solicit input.				
<input type="checkbox"/> State/Territory agency responsible for child welfare					
<input type="checkbox"/> State/Territory liaison for military child care programs or other military child care representatives					
<input checked="" type="checkbox"/> State/Territory agency responsible for employment services/workforce development	The Lead Agency requested written information from Maine Roads to Quality, our Professional Development Recognition System and utilized programmatic data in drafting this CCDF plan.				
<input checked="" type="checkbox"/> State/Territory agency responsible for Temporary Assistance for Needy Families (TANF)	The Lead Agency is also responsible for TANF services in Maine. Monthly management meetings occur to facilitate communication and streamline services for families. TANF staff were encouraged to provide feedback and considerations for the CCDF plan during the drafting process				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center; vertical-align: top;"> <input type="checkbox"/> </td> <td style="padding: 5px;">           Indian Tribes/Tribal Organizations         </td> </tr> <tr> <td style="text-align: center; vertical-align: top;"> <input type="checkbox"/> </td> <td style="padding: 5px;">           N/A: No such entities exist within the boundaries of the State         </td> </tr> </table>	<input type="checkbox"/>	Indian Tribes/Tribal Organizations	<input type="checkbox"/>	N/A: No such entities exist within the boundaries of the State	
<input type="checkbox"/>	Indian Tribes/Tribal Organizations				
<input type="checkbox"/>	N/A: No such entities exist within the boundaries of the State				
<input checked="" type="checkbox"/> Private agencies/entities including national initiatives that the Lead Agency is participating in such as BUILD, Strengthening Families, Mott Statewide After-school Networks, Ready by 21	The Lead Agency requested written information from the AfterSchool Network (Mott Statewide AfterSchool Network) and utilized programmatic data in drafting this CCDF plan.				
<input checked="" type="checkbox"/> Provider groups, associations or labor organizations	The Child Care Advisory Council submitted recommendations to the Lead Agency to consider during the drafting process.				
<input type="checkbox"/> Parent groups or organizations					
<input checked="" type="checkbox"/> Local community organizations (child care resource and referral, Red Cross)	The Lead Agency requested written information and utilized programmatic data from the Child Care Resource and Referral system in the drafting of this CCDF plan.				
<input type="checkbox"/> Other					

**1.4.2. Describe the Statewide/Territory-wide public hearing process held to provide the public an opportunity to comment on the provision of child care services under this Plan.** (658D(b)(1)(C), §§98.14(C)). At a minimum, the description should include:

Effective Date: 01-OCT-11

a) Date(s) of notice of public hearing: [07/02/2011](#)

**Reminder** - Must be at least 20 days prior to the date of the public hearing.

b) How was the public notified about the public hearing? [Newspaper; Email to available contacts](#)

c) Date(s) of public hearing(s): [07/25/2011](#)

**Reminder** - Must be no earlier than 9 months before effective date of Plan (October 1, 2011).

d) Hearing site(s) [Lead Agency Office site in Bangor, Maine and in Portland, Maine; Satellite sites were available in Lewiston, ME and Machias, ME for 7/25 hearing, and in Augusta, ME and Caribou, ME for the 7/26 hearing](#)

e) How was the content of the Plan made available to the public in advance of the public hearing(s)? [Posted on Website and in print upon request](#)

f) How will the information provided by the public be taken into consideration in the provision of child care services under this Plan? [Lead Agency will review the comments and recommendations and modify the plan as necessary prior to final submission.](#)

**1.4.3. Describe any strategies used by the Lead Agency to increase public consultation on the Plan or access to the public hearing.** For example, translating the public hearing notice into multiple languages, using a variety of sites or technology (e.g., video) for the public hearing, holding the hearing at times to accommodate parent and provider work schedules.

Effective Date: 01-OCT-11

[Public hearings will be held at two different sites across the state. One in the central area of the state and the other in the southern area of the state where the population is greater. The hearings will be one and one-half hours in length, in the evening, and in public buildings that are designed to accommodate individuals of all abilities. Additionally, video feed will be available to parts of the state for convenience and ease of travel burdens. Translators will be available in locations that are most heavily populated with non-English speaking populations.](#)

### **1.5. Coordination Activities to Support the Implementation of CCDF Services**

Lead Agencies are required to *coordinate* with other Federal, State, local, Tribal (if

applicable) and private agencies providing child care and early childhood development services

**Definition - Coordination** involves child care and early childhood and school-age development services efforts to work across multiple entities, both public and private (such as in connection with a State Early Childhood Comprehensive System (SECCS) grant or the State Advisory Council funded under the Head Start Act of 2007). (658D(b)(1)(D), §§98.12(a), 98.14(a)(1))

**1.5.1. Identify and describe in the table below with whom the Lead Agency coordinates in the delivery of child care and early childhood and school-age services (§98.14(a)(1)).**

Effective Date: 21-SEP-12

<b>Agency/Entity (check all that apply)</b>	<b>Describe how the Lead Agency will coordinate with this Agency/entity in delivering child care and early childhood services</b>	<b>Describe the goals or results you are expecting from the coordination</b>
<input checked="" type="checkbox"/> <p>Representatives of general purpose local government <b>(required)</b></p> <p>This may include, but is not limited to: representatives from counties and municipalities, local human service agencies, local education representatives (e.g., school districts), or local public health agencies.</p>	<p>The Lead Agency will participate in the following early childhood coordinating groups:</p> <ul style="list-style-type: none"> <li>Inter-Departmental Management meetings with Office of Family Independence</li> <li>Maine Children's Growth Council</li> <li>Maine AfterSchool Network</li> </ul>	<p>Examples might include increased supply of full-day/full-year services, aligned eligibility policies, blended funding, or access to more training and technical assistance resources shared across agencies.</p> <p>To coordinate and align services in a comprehensive and intradependent framework</p> <p>To monitor and eliminate duplicative efforts with respect to training, professional development and resource management through blended, and braided financial and administrative systems of support.</p>

<input checked="" type="checkbox"/> <p>State/Territory agency responsible for public education <b>(required)</b> This may include, but is not limited to, State/Territory pre-kindergarten programs (if applicable), programs serving school-age children (including 21st Century Community Learning Centers), or higher education.</p>	<p>Participate in: Higher Education Committee Early Childhood Accountability Team Maine Expanding Inclusive Opportunities Committee Maine AfterSchool Network</p>	<p>Increase accessibility of higher education options for professionals in the State of Maine by maintaining and coordinating articulation agreements with our professional workforce system, community colleges and the university system. Expanding Inclusive Opportunities is a federally funded initiative designed to build on existing state efforts to improve inclusive opportunities for young children with disabilities and their families. Overall, to coordinate and measure activities and initiatives which provide safe and stimulating environments for children and youth of working parents, as well as improving student learning and supporting emotional and social development of youth.</p>
<input checked="" type="checkbox"/> <p>Other Federal, State, local, Tribal (if applicable), and/or private agencies providing early childhood and school-age/youth-serving developmental services <b>(required)</b></p>	<p>Participate in: Maine Children's Growth Council Child Care Advisory Council Maine Expanding Inclusive Opportunities Committee</p>	<p>The purpose of these committees is facilitate services across the systems in order to facilitate the creation of safe and stable child care environments.</p>

<input checked="" type="checkbox"/>	<p>State/Territory agency responsible for public health <b>(required)</b></p> <p>This may include, but is not limited to, the agency responsible for immunizations and programs that promote children's emotional and mental health</p>		<p>The goal of this project is to contribute to the advancement of Maine's program quality improvement system by providing expertise in the areas of disability studies, inclusive practice, social-emotional development, and early childhood mental health to strengthen Maine's quality benchmarks so that they apply to all sectors, settings, children, families, and professionals.</p>
<input checked="" type="checkbox"/>	<p>State/Territory agency responsible for employment services / workforce development <b>(required)</b></p>	<p>The Lead Agency will continue to collaborate with the Office of Family Independence, the Office responsible for determining financial eligibility for CCDF child care benefits. This Office is responsible for supporting the work force and independence of families throughout the State of Maine. The Lead Agency also coordinates with the Department of Labor's Career Centers.</p>	<p>Supports individuals in increasing access to the CCDF subsidy Streamlines and creates efficiencies in family independence supporting their access to work The Career Centers work with people who are looking for work or have been displaced from another position.</p>
<input checked="" type="checkbox"/>	<p>State/Territory agency responsible for providing Temporary Assistance for Needy Families (TANF) <b>(required)</b></p>	<p>The Lead Agency will collaborate with the Office for Family Independence through interdepartmental management meetings.</p>	<p>The goal of this collaboration is to avoid duplication of services to families and increase efficiency in serving families to access the child care subsidy program. Additionally this provides a level of oversight and accountability between the data systems that are used to monitor client services.</p>
<input checked="" type="checkbox"/>	<p>Indian Tribes/Tribal Organizations (required)</p> <p><input type="checkbox"/></p> <p>N/A: No such entities exist within the boundaries of the State</p>	<p>The Lead Agency will invite the lead contact for Tribal CCDF to participate in the Child Care Advisory Council</p>	<p>Coordinate and reduce duplication of services</p>

**For the remaining agencies, check and describe (optional) any with which the Lead Agency has chosen to coordinate early childhood and school-age service delivery**

<input checked="" type="checkbox"/>	State/Territory agency responsible for licensing (if separate from the Lead Agency)		
<input checked="" type="checkbox"/>	State/Territory agency with the Head Start Collaboration grant		
<input checked="" type="checkbox"/>	Statewide Advisory Council authorized by the Head Start Act		
<input checked="" type="checkbox"/>	State/Territory agency responsible for the Child and Adult Care Food Program (CACFP)		

<input checked="" type="checkbox"/> <p>State/Territory agency responsible for programs for children with special needs</p> <p>This may include, but is not limited to:  State/Territory early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool), or other State/Territory agencies that support children with special needs</p>		
<input checked="" type="checkbox"/> <p>State/Territory agency responsible for implementing the Maternal and Early Childhood Home Visitation programs grant</p>		
<input type="checkbox"/> <p>State/Territory agency responsible for child welfare</p>		

<input type="checkbox"/>	State/Territory liaison for military child care programs or other military child care representatives		
<input checked="" type="checkbox"/>	Private agencies/entities including national initiatives that the Lead Agency is participating in such as BUILD, Strengthening Families, Mott Statewide After-school Networks, Ready by 21		
<input checked="" type="checkbox"/>	Local community organizations (child care resource and referral, Red Cross)		
<input checked="" type="checkbox"/>	Provider groups, associations or labor organizations		
<input checked="" type="checkbox"/>	Parent groups or organizations		
<input type="checkbox"/>	Other		

**1.5.2. Does the State/Territory have a formal early childhood and/or school-age coordination plan?** Lead Agencies are not required to have an early childhood nor a school-age coordination plan, but the State/Territory may have such plans for other purposes, including fulfilling requirements of other programs.

Effective Date: 01-OCT-11

Yes. If yes,

a)

Provide the name of the entity responsible for the coordination plan(s):

Maine Children's Growth Council

b)

Describe the age groups addressed by the plan(s):

Prenatal through five years old

c)

Indicate whether this entity also operates as the State Advisory Council (as authorized under the Head Start Act of 2007):

Yes

No

d)

Provide a web address for the plan(s), if available:

www.maineecgc.org

No

**1.5.3. Does the State/Territory have a designated entity(ies) responsible for coordination across early childhood and school-age programs?** (658D(b)(1)(D), §98.14(a)(1)) Check which entity(ies), if any, the State/Territory has chosen to designate.

Effective Date: 01-OCT-11

State/Territory-wide early childhood and/or school-age cabinet/advisory council/task force/commission.

If yes, describe entity, age groups and the role of the Lead Agency

State Advisory Council (as described under the Head Start Act of 2007).

If yes, describe entity, age groups and the role of the Lead Agency

Maine Children's Growth council is created to developm maintain and evaulate a plan for sustainable social and financial investment in healthy development of the State's young children and their families. This body has no authority, provides advisement to the State and includes birth through eight years of age as the focus ages.

This council is a 35 seat council with the following representation:

Two memebers from the Senate, one from each political party

Two members from the House of Representatives, one from each political party

The Governor or designee

The Attorney General or designee

Three parents

Two persons representing public funding  
One Child Abuse and Prevention representative  
One Postsecondary education representative  
Three representatives from early care and education  
One law enforcement organization  
One community mobilization organization  
One public health representative  
One Maine Economic Growth Council representative  
One labor organization representative  
One business representative  
Eight members of the public  
Commissioner of Education or designee  
DHHS employee within Early Childhood programs  
DHHS employee within Early Childhood programs fiscal agent

Local Coordination/Council

If yes, describe entity, age groups and the role of the Lead Agency

Other

Describe

None

**1.5.4 Does the Lead Agency conduct or plan to conduct activities to encourage public-private partnerships that promote private sector involvement in meeting child care needs? (§98.16(d))**

Effective Date: 21-SEP-12

Yes .

If yes, **describe** these activities or planned activities, including the tangible results expected from the public-private partnership:

- The Lead Agency will actively seek out opportunities for collaboration and promoting linkages with community agencies and businesses.
- The Lead Agency will also collect information on the numbers and types of businesses that are providing child care support to employees, i.e. on-site care, tuition assistance, Dependent Care Assistance Plans.

No

## **1.6. Child Care Emergency Preparedness and Response Plan**

It is recommended, but not required, that each Lead Agency develop a plan to address preparedness, response, and recovery efforts specific to child care services and programs. Plans should cover the following areas: 1) planning for continuation of services to CCDF families; 2) coordination with other State/Territory agencies and key partners; 3) emergency preparedness regulatory requirements for child care providers; 4) provision of temporary child care services after a disaster; and 5) rebuilding child care after a disaster. For further guidance on developing Child Care Emergency Preparedness and Response Plans see the Information Memorandum (CCDF-ACF-IM-2011-XX) located on the Office of Child Care website at:

[http://www.acf.hhs.gov/programs/ccb/law/state\\_topic\\_emergency.htm](http://www.acf.hhs.gov/programs/ccb/law/state_topic_emergency.htm)

### **1.6.1. Indicate which of the following best describes the current status of your efforts in this area. Check only ONE.**

Effective Date: 01-OCT-11

**Planning.** Indicate whether steps are under way to develop a plan. If so, describe the time frames for completion and/or implementation, the steps anticipated and how the plan will be coordinated with other emergency planning efforts within the State/Territory.

**Developed.** A plan has been developed as of **[insert date]:** [06/01/2005](#) and put into operation as of **[insert date]:** [06/01/2005](#), if available. Provide a web address for this plan, if available:

**Other.**  
**Describe:**

**1.6.2. Indicate which of the core elements identified in the Information Memorandum are or will be covered in the Lead Agency child care emergency preparedness and response plan.** Check which elements, if any, the Lead Agency includes in the plan.

Effective Date: 01-OCT-11

Planning for continuation of services to CCDF families

Coordination with other State/Territory agencies and key partners

- Emergency preparedness regulatory requirements for child care providers
- Provision of temporary child care services after a disaster
- Rebuilding child care facilities and infrastructure after a disaster
- None